

VZCZCXRO2858
PP RUEHBC RUEHDE RUEHDH RUEHDIR RUEHKUK RUEHROV RUEHTRO
DE RUEHGB #3300/01 3561339
ZNY CCCCC ZZH
P 221339Z DEC 09
FM AMEMBASSY BAGHDAD
TO RUEHC/SECSTATE WASHDC PRIORITY 5839
INFO RUEHEE/ARAB LEAGUE COLLECTIVE
RUCNIRA/IRAN COLLECTIVE
RUCNRAQ/IRAQ COLLECTIVE
RUEAIIA/CIA WASHDC
RUMICEA/USCENTCOM INTEL CEN MACDILL AFB FL//CCJ2//
RUEKJCS/CJCS WASHINGTON DC
RHEHNSC/NSC WASHDC
RUEKJCS/SECDEF WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 03 BAGHDAD 003300

SIPDIS

DEPARTMENT FOR NEA/FO AND NEA/I. NSC FOR PHEE AND VROOMAN.

E.O. 12958: DECL: 12/17/2019

TAGS: [IR](#) [IZ](#) [KDEM](#) [PGOV](#) [PREL](#) [XF](#)

SUBJECT: A/S FELTMAN DISCUSSES GOVERNMENT FORMATION, THE
BUDGET LAW, AND REGIONAL RELATIONS WITH IRAQI PARLIAMENT
SPEAKER.

Classified By: POLITICAL MINISTER COUNSELOR GARY A. GRAPPO FOR REASONS
1.4 (B) AND (D).

¶1. (C) SUMMARY: NEA Assistant Secretary (A/S) Feltman on 15 December met with Iraqi Council of Representatives (COR) Speaker Ayad al-Samarrai to discuss the ongoing U.S. commitment to Iraq and the near-term tasks for the Iraqi government, to include the budget law, the national election, and government formation. Samarrai discussed the constitutional aspects of the road ahead for Iraq with regard to the national election and government formation process. Samarrai noted constitutional ambiguities, for example with regard to naming of the largest bloc responsible for forming the government, which could pose obstacles to government formation. In discussions regarding the budget law, Samarrai noted that some were delaying passage of the law as a tool to keep members of the COR in attendance to work on other legislation. Samarrai also discussed his desire to see Iraq more engaged regionally, but noted the reluctance among Arab states to engage with Iraq. The Speaker stressed the need for Arab states to counter Iranian influence in the region through engagement with Iraq. END SUMMARY.

RECENT SECURITY INCIDENTS

¶2. (C) In reference to the recent increase in security incidents in Baghdad, Speaker Samarrai cited weaknesses of Iraqi intelligence collection as a factor allowing for such incidents. Additionally, Samarrai said that the Iraqi government is unable to reach the people responsible for the planning and financing of such attacks, thereby allowing them to escape justice and continue planning additional attacks. A/S Feltman acknowledged that more such attacks could take place in the run-up to the Iraqi national election and that the U.S. will provide any assistance possible if asked.

POST-ELECTION TRANSITION AND GOVERNMENT FORMATION PROCESS

¶3. (C) A/S Feltman congratulated Speaker Samarrai on the Iraqi government successfully reaching agreement on an election law compromise and looking ahead, asked the Speaker for his insight into what will transpire in the period immediately following the national election. Samarrai stated that as a result of the delay in passing the election law, the Iraqi government now faces a constitutional problem, in that the mandate of the current COR should end on 15 March

with new elections required at least 45 days prior to the end of the current Council. The question now remains as to whether the current COR should be extended for 45 days following the 7 March election date so as to avoid a gap between Councils and a political vacuum. Samarrai noted a sentiment within the government that such an extension should be authorized, but the question remained of how. Samarrai had discussed this with President Talabani, who was in agreement and was now looking into how an extension should be managed. Samarrai noted that if the current COR session were extended, the Constitutional Court would have to be queried regarding whether an extended Council could carry on with legislation or only operate on an emergency basis.

14. (C) According to Samarrai, as soon as a deal is reached on who will become the next President, Prime Minister, and COR Speaker, the new COR will be able to begin work. Samarrai said that it was unclear how the transition process would transpire and when the new COR would be able to begin work on legislation, as it remained to be seen whether there would be a national unity or majority government. Samarrai noted that he expected the winning bloc (or political coalition) to form the new government, thereby forcing parties outside the winning coalition's proposed government to ally and form an opposition force. As an example, Samarrai said that if Prime Minister Maliki's party won again, Maliki would not accept Saleh Mutlaq as part of his government because of previous experiences, unless a major opposition existed to force Mutlaq's inclusion.

15. (C) Additionally, Samarrai said that because of strong

BAGHDAD 00003300 002 OF 003

differences between the blocs, he does not expect them to be able to form a national unity government once again. Samarrai speculated that there would be a rearrangement of alliances post-election, as parties that managed to win seats, in realizing there would not be a national unity government, broke alliances and joined with other blocs in order to be part of the new government.

16. (C) A/S Feltman inquired into the period of time constitutionally allowed for between the election and the naming of a Prime Minister designate. Samarrai was unsure of whether there was a constitutional limit on that period of time. Additionally, Samarrai said that once a president is selected, the president must choose the largest bloc to form the government, but noted that the constitution is unclear as to whether that refers to the largest bloc formed prior to or following the election. Samarrai said that he believed it was most likely to be based on the largest bloc established post-election and that as such parties were discussing joining post-election. Samarrai noted that the speed of government formation would depend on the post-election arrangements blocs were preparing now. Samarrai had heard from both Maliki's State of Law (SOL) and the Islamic Supreme Council of Iraq (ISCI) that they would join after the election to form the largest bloc. Samarrai speculated that the president most likely would choose the bloc established post-election to form the new government.

PRESIDENCY COUNCIL

17. (C) Samarrai stated that according to the constitution, the Presidency Council was to exist for one term and, therefore, could not continue to exist without a constitutional amendment. Samarrai thought that the next government would have one vice president, who would not hold the power to veto. When asked whether there was a push for a constitutional amendment to allow for a continuation of the Presidency Council, Samarrai noted that the amendment on the table was for the establishment of a Federation Council, the second representative body of the Iraqi legislative branch

provided for under the Iraqi constitution, not for an extension of the Presidency Council.

BUDGET LAW

¶18. (C) When asked whether the 2010 budget would be passed by the end of the year, Samarraï noted that there are two sides to the budget law debate, with one camp in favor of passing the budget law before the end of 2009 and the other preferring to delay passage until late January 2010, so as to ensure COR members are present at COR sessions for a longer period of time and allow the Parliament to finalize other important laws. Samarraï assessed that some viewed the budget law as a tool to keep members in attendance, but acknowledged that passing the law would become more difficult as elections neared.

CHAPTER VII

¶19. (C) A/S Feltman noted that the United States will continue to work over the next year to lift Chapter VII resolutions, but that it would be easier for the U.S. to argue Iraq's case before the UN Security Council if the COR approved the Additional Protocol that the Council of Ministers approved and passed to the Parliament in August 2009. Samarraï noted that the COR had not focused on the Protocol at this time. He voiced frustration that the COR had received a series of protocols and other technical agreements from the Council of Ministers, but without an indication of the specific urgency attached to any of them.

REGIONAL RELATIONS

BAGHDAD 00003300 003 OF 003

¶10. (C) Samarraï noted that he has publicly expressed his belief that Iraq should be a bridge between neighboring states and should foster greater economic, security and political cooperation through regional engagement. Samarraï expressed his desire to see political interference in Iraq replaced by political and economic cooperation. Additionally, Samarraï noted that more must be done to change the Iraqi perception from one of Arab states exporting terrorists to Iraq to one of Arab states supporting economic cooperation and investment.

¶11. (C) Samarraï acknowledged that some leaders in the region have sensitivities regarding Iran and specifically Iranian influence in Iraq, and use such as justification for not cooperating with Iraq. Samarraï insisted that such thinking was counter-productive. Samarraï believed that working to cooperate and develop economic relations with Iraq would by default push back the Iranian influence, as Iran is not as economically influential as Arab states are. Also, as an example of the benefits of engagement, Samarraï noted that Turkey has increased economic relations with the Kurds, which in turn has given the Kurds pause before acting against Turkey or Turkish interests. Samarraï judged that Arab countries do not have a strategy to deal with Iraq, noting that interactions were mostly reactionary. He acknowledged the political significance of improved relations with Egypt, but said he did not expect Egypt to invest in Iraq. Samarraï believed Kuwait, Qatar, Saudi Arabia, and the United Arab Emirates were states with good potential for investment in Iraq and noted that it would be a big mistake for those countries to remain hesitant toward investment in Iraq.

¶12. (C) According to Samarraï, some Iraqi politicians with links to different neighboring states have advised leaders of

these states not to improve relations with Iraq at this time, but to wait to do so until a new Iraqi government was in place. Samarrai assessed that some within Iraq were doing this as an election tool to show the Maliki government as weak and unable to secure foreign investment and improved regional relations. However, Samarrai feared that this trend would continue post-election and stated that neighboring states need a strategy for relations with Iraq, regardless of what is transpiring in the Iraqi political process. He said that Arab states that are unhappy with the Iranian influence must take the initiative to engage in Iraq to counter that influence, as opposed to leaving it to Iraq, which he described as not strong enough to counter Iranian influence by itself.

¶13. (C) Samarrai noted that he had sent messages to the leaders of several Arab countries expressing his desire to meet with Sunni leaders on behalf of Iraq, but that unfortunately he had received no invitations. Additionally, he said that two months ago he accepted an invitation to Doha as part of a Brookings initiative, which he viewed as an opportunity to meet with other Arab leaders, even at the unofficial level. However, Samarrai said that he was unable to secure any such meetings. The Speaker said that some Arab leaders do not like to meet with him because he visits Iran, Qleaders do not like to meet with him because he visits Iran, but he noted that because Iran poses a threat, Iraq must have contact with Tehran.

IRAN

¶14. (C) A/S Feltman noted that Samarrai was recently in Iran and asked about his impressions of the divisions within the Iranian leadership following the Iranian elections in June ¶2009. Samarrai noted that despite leadership divisions, the Iranian government does have a center of influence and continues to work toward protecting and advancing Iranian interests as a country. Additionally, he assessed that differences within the Iranian leadership, and their willingness to work with different individuals and groups from Muqtada al-Sadr to Prime Minister Maliki, could prove helpful in keeping the Iranian government in contact and engaged with all parties.

¶15. (U) A/S Feltman's party cleared on this cable.
FORD